

UNITED STATES FEDERAL COURT
DISTRICT OF MINNESOTA

GOOTER INVESTMENTS, INC.,
a Wisconsin corporation,

Civil Case No. 07-CV-03934-JRT-FLN

Plaintiff,

v.

BRETT A. THIELEN and JESSICA R.
THIELEN, husband and wife, JTT
DEVELOPMENT, LLC, a Minnesota
limited liability company, and
THIELEN PROPERTIES, LLC, a
Minnesota limited liability company,

Defendants.

STIPULATION FOR DISMISSAL WITH PREJUDICE

THIS STIPULATION is made and entered into this 15th day of October, 2008 by and between Gooter Investments, Inc. (“Gooter”), through its undersigned counsel, Daniel W. Voss, Boyle & Voss, P.A., 7831 Glenroy Road, Suite 145, Bloomington, Minnesota 55439 and the Defendants, Brett A. Thielen, Jessica R. Thielen, JTT Development, LLC (“JTT”), and Thielen Properties, LLC, through their/its undersigned counsel, T. Chris Stewart, Anastasi & Associates, P.A. 14985 – 60th Street North, Stillwater, Minnesota 55082 to resolve any and all claims, defenses, counterclaims, and any other claim of any nature whatsoever which could have been asserted or was asserted in the above-captioned litigation.

Pursuant to that certain Settlement Agreement and Mutual Release (“Settlement Agreement”) executed by the parties on or about September 19, 2008 all claims which have been asserted, or which could have been asserted, or defenses which have been raised, or which could have been

raised, or any other claim of any nature whatsoever between the parties which are in any way associated with this captioned matter, except those associated with the Settlement Agreement and attendant Confession of Judgment executed and delivered by JJT to Gooter, are hereby dismissed with prejudice, that any remaining claims that Gooter may have against JJT shall be derivative of, and arise from, that certain Settlement Agreement and attendant Confession of Judgment executed and delivered by JJT to Gooter dated September 19, 2008, and that no costs, disbursements, or attorney's fees be awarded to any of the parties captioned above or their respective legal counsel.

ANASTASI & ASSOCIATES, P.A.

Dated: October 15, 2008

By: /e/ T. Chris Stewart
T. Chris Stewart (#152316)
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ATTORNEYS FOR DEFENDANTS

BOYLE & VOSS, P.A.

Dated: October 15, 2008

By: /e/ Daniel W. Voss
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